

**MINUTES OF SMALL FIRMS & SOLO PRACTITIONERS
SECTION MEETING OF JUNE 12, 2007**

The meeting commenced at 12:15 p.m. Attendees at the meeting were: Bill Brady, Martin Haverly, Lee Goldstein, Geoff Gamble (President of DSBA), Susan Kaufman, Bayard Marin, Suzanne Seubert, Frank Murphy (teleconference).

1. Referral list still being compiled. Members are urged to contact Bill Brady if they need an application.
2. Election of officers (one year term 7/1/07 to 6/30/08)
Chair – Bill Brady
Vice Chair - Martin Haverly
Secretary - Lee Goldstein
3. Presentation by Geoff Gamble, President of DSBA:

(a) How can our Section's best interest be served/How can our Section have greater voice on issues involving solo and small firm practitioners: 75% of DSBA is comprised of solo practitioners and small firm attorneys out of a 4,000 total membership. The importance of our Section on various issues requires representation on DSBA Executive Committee. Recommended that we contact Allen Terrell and/or Ben Strauss, future presidents of DSBA to request membership on the Executive Committee, for 2008 and 2009.

(b) Rule 55.1 grants status to lawyers of another State's Bar working for employers in Delaware not engaged in the practice of law. This covers about 400 attorneys in the State who have registered and can therefore represent "not for pay" clients. This Rule does not appear to have any detrimental effect on solo/small firm practitioners since out-of-state attorneys must work for corporations and participate in *pro bono* work.

(c) A possible threat to solo/small firm practitioners involves pending legislation which would permit lawyers from foreign countries to practice in Delaware. Geoff noted that Delaware only has 4,000 attorney members of DSBA as compared to New York with 78,000 attorneys and Washington DC with 150,000 attorneys. Opening our doors without proper control measures to foreign attorneys could result in a possible loss of business for Delaware attorneys. Geoff suggests that the Delaware Supreme Court ask DSBA for their position. DSBA could then appoint consultants to review how other states have handled this issue. Qualifications may require practicing in the State of Delaware at least three months each year in addition to passing local rules testing.

(d) Brief discussion related to recent Bench and Bar seminar stressing the importance of a solo/small firm practitioner's need for a plan in the event of incapacity or death (such as contacting clients, continuation of case files through other attorneys, etc.)

4. Open discussion

(a) Discussion involved need for greater communication among Prothonotary's office, Secretary of State and Sheriff's Office. Specific examples of miscommunication involved lack of notice to attorneys when a \$2 check did not reach the Secretary of State resulting in no further action on the service request. Also discussed refusal by Prothonotary to clock-in copies of complaint and Stipulations of Dismissal which were e-filed.

(b) Discussion of one hour CLE (possibly enhanced ethics) involving health care insurance update for solos/small firms. Zutz representative as presenter, with emphasis on HSA plans (higher deductible, lower monthly premium).

(c) WestLaw access is available at the New Castle County Law Library but hours of operation are limited (Monday through Friday, 8:30 a.m. to 5:00 p.m.) Widener Law School has available internet access but does not provide free Westlaw access to Delaware attorneys. However, Widener Law School is more available as to general hours (Monday through Thursday, 8:00 a.m. to midnight, Friday 8:00 a.m. to 11:00 p.m., Saturday, 8:00 a.m. to 10:00 p.m. and Sunday, 10:00 a.m. to midnight). Further discussion involved presentation from WestLaw/Lexis on group rates for solos/small firms.

Meeting concluded at 1:15 p.m.

LEE C. GOLDSTEIN, SECRETARY